II

(Preparatory Acts)

COMMISSION

Amended proposal for a Council Regulation (EC) on adjustments to the fisheries arrangments provided for in the Act of Accession of Spain and Portugal (1)

(94/C 92/08)

COM(94) 35 final — 94/0032(CNS)

(Submitted by the Commission pursuant to Article 189A (2) of the EC Treaty on 7 March 1994)

The text of the proposal is hereby amended as follows:

Third recital

Whereas the new provisions must facilitate the full integration of Spain and Portugal into the general scheme of the common fisheries policy and must fully comply with the acquis communautaire, especially the limits in force, and in particular with regard to the principle of relative stability and the exceptions to the principle of free access to waters as laid down by Council Regulation (EEC) No 3760/92; whereas, in addition, such adjustments must not result in an increase in fishing effort;

Fifth recital (new)

Whereas the adjustments must take account on a case-by-case basis of the geographical, geomorphological and biological conditions of each maritime region of the Community in order to contribute to the introduction of responsible fishing and to the preservation of the individual requirements of regions where the socio-economic development of the local populations is particularly dependent upon fishing and related industries;

Article 3 (2)

In accordance with the procedure laid down in Article 43 of the Treaty and within the framework of Articles 4 and 8 of Regulation (EEC) No 3760/92, the Council shall adopt by 31 December 1995 Community measures entering into force on 1 January 1996 laying down the conditions of access to fishing zones and resources and/or restrictions on exploitation by fixing fishing opportunities in terms of the authorized volume of catches and fishing effort, and technical measures to encourage the use of selective gear and methods of fishing.

Article 3 (3)

In compliance with the general principles of the common fisheries policy, and in particular relative stability, the application of Articles 4 and 8 of Regulation (EEC) No 3760/92 must take account, in each case, of developments in fishing opportunities, without exceeding the levels of fishing effort laid down in Articles 158, 160, 164, 165, 349, 351 and 352 of the Act of Accession.

Article 4 (new)

For Community zones and resources other than those referred to in Article 3, with the exception of those subject on 31 December 1993 to quarantine restrictions on catches, the Council shall, in compliance with the general principles of the common fisheries policy, adopt in accordance with Articles 4 and 8 of Regulation (EEC) No 3760/92 the Community measures laying down conditions of access, including restrictions on exploitation taking account of fishing activities during a recent and representative period.

Article 5 (former Article 4)

All Community fishing vessels authorized to engage in fishing activities where the exploitation rate is restricted in accordance with Articles 3 and 4 must hold a fishing licence which fixes the conditions of access to those fisheries, granted and managed by the Member States whose flag the vessel is flying.

(1) OJ No C 321, 27. 11. 1993, p. 14.